

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3676 of 2018

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1. Binod Kumar Singh, Son of Shri Dinanath Singh. Resident of Village + Post Office- Karsar, Police Station- Raghunathpur, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Girls Middle School Andar, Anchal- Andar, District- Siwan.
 2. Prashu Ram Prasad, Son of Late Harihar Prasad, Resident of Village + Post office- Gayghat, Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Girls Middle School Andar, Anchal- Andar, District- Siwan.
 3. Dinesh Kumar Yadav, Son of Late Suresh Yadav, Resident of Village- Kushahara, Post Office- Nandpur Anwari, Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sultanpur, Anchal- Andar, District- Siwan.
 4. Dharmveer Sharma, Son of Late Jitendra Nath Sharma, Resident of Village + Post Office- Andar, Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Jamalpur, Anchal- Andar, District- Siwan.
 5. Ramesh Kumar Yadav, Son of Late Munshi Lal Yadav, Resident of Village- Madesilapur West Tola, Post Office + Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Belahi (West), Anchal- Andar, District- Siwan.
 6. Dharmendra Sharma son of Shri Banarsi Sharma Resident of Mohalla- Shukla Toli Near Brahmsthan, Post Office+ Post Station- Siwan (Sadar), District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. upgraded Middle School Singarpatti, Anchal- Hussainganj, District- Siwan.
 7. Bhupendra Kumar Singh Son of Shri Dudhnath Singh Resident of Village- Baikunthpur, Post Office- Hussainganj via Machakna, Police Station- Andar, District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. Upgraded Middle School Singarpatti, Anchal- Hussainganj, District- Siwan.
 8. Sanjay Kumar Singh Son of Sri Rameshwar Singh Resident of Village- Basopali Tole Chhapan, Post Office- Basopali, Police Station- Siwan(Mufasil), District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. Primary School (Hindi) Hakam, Anchal- Panchrukhi, District- Siwan.
 9. Ram Dahin Ram Son of late Shyamjit Ram Resident of Village- Sultanpur, Post Office+Police Station- Raghunathpur, District- Siwan, At Present Posted and working as an Assistant teacher in Govt. Middle School Pachokhar, Anchal- Raghunathpur, District- Siwan.
 10. Dharm Deo Baitha Son of late Jagilal Baitha Resident of Village+Post Office- Tiyan, Police Station-Andar, District- Siwan, At Present Posted and working as as Assistant Teacher in Govt. Upgraded Middle School Pipra, Anchal- Andar, District- Siwan.
 11. Ganesh Ram Son of late Sharan Das Resident of Village- Kushahara,Post Office- Nandpur(Amwari), Block- Andar, District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. Upgraded Middle School Pareji, Anchal- Andar, District- Siwan
 12. Arun Kumar Srivastava Son of Shri Nathan Prasad Resident of Village



+Post Office- Andar, District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. Upgraded Middle School Nadiyaw, Anchal- Raghunathpur, District- Siwan.

13. Rajesh Kumar Srivastava Son of Shri Nathan Prasad Resident of Village +Post Office- Andar, District- Siwan. At Present Posted and working as an Assistant Teacher in Govt. Upgraded Girls Middle School Sultanpur, Anchal-Andar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Education Officer, Andar, District- Siwan.
8. The Block Education Officer, Hussainganj, District- Siwan.
9. The Block Education Officer, Pachrukhi, District- Siwan.
10. The Block Education Officer, Raghunathpur, District- Siwan.
11. The District Accounts Officer, Siwan.
12. The District Treasury Officer, Siwan.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.3975 of 2018

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1. Rakesh Kumar Singh, Son of Late Shri Niwash Singh, Resident of Village +Post Office-Santhi, Police Station-Raghunathpur, District- Siwan. At Present Posted and Working as an Assistant Teacher in Govt. Middle School Adampur, Anchal- Raghunathpur, District-Siwan.
2. Kumar devendra Singh, Son of Late Kedar Nath Singh, Resident of Village-Rajpur, Police Station-Raghunathpur, District-Siwan. At Present Posted and Working as an Assistant in Govt. mIddle School Adampur, Anchal-Raghunathpur, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Got. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, Siwan.
6. The District Programme Officer, (Establishment), Siwan.
7. The Block education Oficer, Raghunathpur, District-Siwan.
8. The District Accounts Officer, Siwan.
9. The District Treasury Officer, Siwan.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.4020 of 2018

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1. Ambika Yadav, Son of Late Chandrika Yadav, Resident of Village-



- Sidhawal, Post Office- Tetariya, Police Station- Hussainganj, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School New Sugar Mill Siwan, Anchal- Siwan Sadar, District- Siwan.
2. Ravindra Nath Chaudhary, Son of Late Hari Narayan Chaudhary, Resident of Village- Banthu Salona Tola Chhiyashi, Post Office- Banthu Shri Ram, Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School New Sugar Mill Siwan, Anchal- Siwan Sadar, District- Siwan.
 3. Vikash Kumar Dutta, Son of Shri Sita Kant Dutta, Resident of Village- Ahil, Post Office- DMCH, Block- Bahadurpur, District- Darbhanga. At present residing at- Ayodhapuri, Shrinagar, Ward No. 1, Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Chakra, Anchal- Siwan Sadar, District- Siwan.
 4. Md. Abadullah Ansari, Son of Md. Mahboob Asghar, Resident of Village+Post Office- Hasanpura, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Makdum Saray (Urdu), Anchal- Siwan Sadar, District- Siwan.
 5. Jagnarain Baitha, Son of Chandu Baitha, Resident of Village+ Post Office- Panjavar, Police Station- Raghunathpur, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Muzahidpur, Anchal- Siwan Sadar, District- Siwan.
 6. Md. Asgar Ali, Son of Late Abrar Hussain, Resident of Village- Shekhpura, Post Office- Mustafabad, Police Station- Goreyakothi, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Naya Bazar Urdu, Anchal- Siwan Sadar, District- Siwan.
 7. Mukti Sinha, Son of Ramashankar Prasad, Resident of Village- Shastri Nagar, Siwan. At present residing at Shrinagar, Ward No.1, Siwan. At present posted and working as an Assistant Teacher in Govt. Primary School Lakhraw, Anchal- Siwan Sadar, District- Siwan.
 8. Vinod Kumar Ram, Son of Shri Roshaun Ram, Resident of Village- Bhikhpur, Post Office- Chandpur, Police Station- Sisawan, District- Siwan, At present posted and working as an Assistant Teacher in Govt. Middle School Hussainganj (Boys), Anchal- Hussainganj, District- Siwan.
 9. Md Ayoob, Son of Late Safique Ahmad, Resident of Village- Bindwal Takia, Post Office- Chainpur, Police Station- Goreyakothi, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Girls Middle School Nandpur, Anchal- Lakri Naviganj, District- Siwan.
 10. Dinesh Prasad, Son of Late Sitaram Prasad, Resident of Village- Sadipur, Post Office+ Police Station- Goreyakothi, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Sarari, Anchal- Goreyakothi, District- Siwan.
 11. Laldeo Ram, Son of Hiranman Ram, Resident of Village+ Post Office- Sarhara, Police Station- Siswan, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Bhanti, Anchal- Raghunathpur, District- Siwan.
 12. Shahabuddin Ansari, Son of Abdul Kadir, Resident of Village- Chak Mahmuda, Post Office- Sikatiya, Police Station- Maharajganj, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Sarvoday Middle School Ramgarha, Anchal- Daraunda, District- Siwan.



13. Syed Muzaffar Hasan, Son of Syed Ifthakhar Hasan, Resident of Village+ Post Office- Saraiya Shah Mahmad, Police Station- G.B. Nagar Tarwara, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Makhdoom Sarai Urdu, Anchal- Siwan Sadar, District- Siwan.
14. Suresh Baitha, Son of Shri Mukhlal Baitha, Resident of Village+ Post Office- Pachlakhi, Police Station- Nautan, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sarawe Mathia, Anchal- Siwan Sadar, District- Siwan.
15. Rajesh Kumar Singh, Son of Late Raj Narayan Singh, Resident of Village+ Post Office- Yogia, Police Station- Rasulpur, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Nauapali, Anchal- Siwan Sadar, District- Siwan.
16. Suresh Baitha, Son of Chandradev Baitha, Resident of Village+ Post Office- Makariyar, Police Station- Siwan Muffasil, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Shristapur, Anchal- Siwan Sadar, District- Siwan.
17. Ram Bachan Yadav, Son of Late Chandeshwar Yadav, Resident of Village- Madesilapur, Post Office+ Police Station- Andar, District- Siwan. At present posted and working as an Assistant Teacher in Govt. Middle School Faridpur, Anchal- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Education Officer, Siwan Sadar, District- Siwan.
8. The Block Education Officer, Hussainganj, District- Siwan.
9. The Block Education Officer, Lakri Naviganj, District- Siwan.
10. The Block Education Officer, Goreyakothi, District- Siwan.
11. The Block Education Officer, Raghunathpur, District- Siwan.
12. The Block Education Officer, Daraunda, District- Siwan.
13. The District Accounts Officer, Siwan.
14. The District Treasury Officer, Siwan.

.... Respondent/s

Appearance :

(In CWJC No.3676 of 2018)

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr. S.C. Mishra- Sc16

(In CWJC No.3975 of 2018)

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr. Jitendra Kr. Roy No.1- Sc13

(In CWJC No.4020 of 2018)

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

For the Respondent/s : Mr. Jitendra Kumar Roy No-1 -Sc13



**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER**

2 09-03-2018 Heard learned counsel for the petitioners and

State.

Mr. Umesh Kumar Mishra, learned counsel for the petitioners submits that the case of the petitioners is fully covered by Annexure-5 i.e. order dated 31.03.2011 in C.W.J.C. No. 6139 of 2007 and Annexure-10, the order passed by the L.P.A. Bench in L.P.A. No. 756 of 2015 dated 16.08.2017.

In view of the above, the writ applications are disposed of with a direction to the District Programme Officer (Establishment), Siwan to examine the case of the petitioners in the light of the decision of this Court as indicated hereinabove within a maximum period of 60 days from the date of receipt/production of a copy of this order and extend the same benefit to the petitioners, if it is found covered by the decision in L.P.A. in view of the litigation policy of the State Government.

(Anil Kumar Upadhyay, J)

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